

REMARKSI. REJECTION UNDER 35 U.S.C. SECTION 112, SECOND PARAGRAPH

The Examiner has rejected claims 40, 49, and 61-62 under 35 U.S.C. § 112, second paragraph, asserting that the term "call/voice" is not clearly defined. In response, Applicants respectfully traverse this rejection.

First of all, the term "call/voice" has been in this application and its parent application since its original filing. Applicants find it curious that the Examiner would reject this term under § 112 after all these years and all of the previously issued Office Actions.

Second, the term "call/voice" is not indefinite. The present invention describes a telephone call processing system integrated with a telephone voice processing system. It is proper grammar for a slash to replace the word *and* in compound terms. Merriam-Webster's Secretarial Handbook, Third Edition, page 139 (copy enclosed). That is how the slash is utilized in the term "call/voice." In other words, "telephone call/voice processing system" is referring to "telephone call and voice processing system."

II. REJECTIONS UNDER 35 U.S.C. 112, FIRST PARAGRAPH

The Examiner has rejected Claims 40, 49, 55, 61, and 62 under 35 U.S.C. § 112, first paragraph. More specifically, the Examiner asserts that the phrase "the message does not include a phone number and an identity of a calling party" of the claims is not disclosed by this Specification. The Examiner asserts that a caller could leave a voicemail message that included their name and phone number, and this voice message would then be converted and sent as data to the analog phone. Applicants respectfully traverse this rejection.

As previously explained by Applicants' attorney with the Examiner over the telephone, the specification of the present invention does support these claim limitations.

Page 26, lines 14-21 describe a process whereby a digital message is formatted and converted to tones using the caller ID modems, and this text message is then sent to the analog phone 1300 for display. Specification, page 27, lines 1-2. There is no discussion that a voice message left by a caller is digitized, and then this digitized message is sent through the caller ID modems to the analog phone for display, as the Examiner has intimated. Instead, predetermined messages, such as "New Message," are sent to the display in response to the receipt of a voicemail message being stored in the telephone system. Therefore again, Applicants respectfully assert that the claims now recite limitations that are supported within the Specification.

Furthermore, Applicants amended Claims 40, 49 and 55 (and added Claims 61 and 62) in response to a previous discussion with the Examiner over the telephone. Applicants pointed out in a previous response that the Examiner had agreed to these claim limitations in that telephone conference. Applicants respectfully assert that it is unfair for the Examiner to now issue a new rejection of these claims in view of the fact that the Examiner had agreed over the phone to the claim amendments.

Yet still further, in the most recent Office Action, the Examiner has failed to address Applicants' traversal of this rejection, but has instead just merely decided to reassert the rejection. This is not proper, since the Examiner is required under MPEP § 707.07(f) to answer all material traversed. The Examiner's piecemeal examination and rejections of these claims in this manner, including the now new § 112 rejection of the term "call/voice" is improper and causing Applicants to expend unnecessary attorneys' fees in responding to each of these Office Actions.

### III. REJECTIONS UNDER 35 U.S.C. 103, FIRST PARAGRAPH

Claims 40-42, 44, 49-52, 54-55, 58 and 61-62 stand rejected under 35 U.S.C. § 103 as being unpatentable over *Chang et al.* (U.S. Patent No. 5,771,283),

and in view of *Alfred et al.* (U.S. Patent No. 5,894,504), and *Chen* (U.S. Patent No. 5,930,346). In response, Applicants respectfully traverse these rejections.

In these rejections, the Examiner is relying upon the teachings in *Chang* of the GID as representing the message that does not include typical caller ID information. Applicants respectfully assert that the Examiner is relying upon an incorrect factual predicate in relying upon such teachings in *Chang*. *In re Rouffet*, 47 U.S.P.Q. 2d 1453, 1455 (Fed. Cir. 1998). *Chang* specifically teaches that the GID is provided along with a caller's directory number. Column 2, lines 6-7. *Chang* specifically recites that the delivered caller ID service includes the GID in conjunction with the caller's directory number, to a called party. Column 2, lines 34-36. Claims 40, 49, and 55 all recite that the message does not include a phone number of the caller. Thus, *Chang* teaches away from the claims of the present invention. In fact, the Examiner admits to such a teaching in *Chang* on page 7 of Paper No. 11 where the Examiner asserts that *Chang* teaches in column 6, line 14 of *Chang* that the caller's directory number is included.

Claims 45-46, and 48 stand rejected under 35 U.S.C. § 103 as being unpatentable over *Chang*, *Alfred* and *Chen* as stated in claim 42, and in view of *Wilson et al.* (U.S. Patent No. 5,838,772). In response, Applicants respectfully traverse these rejections for the same reasons as given above.

Applicants also respectfully assert that claims 47, 57, and 59 are also patentable over the rejections given on pages 9 and 10 of Paper No. 11 for the same reasons as given above.

IV. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that the remaining claims in the Application are in condition for allowance, and respectfully request an early allowance of such claims.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

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# Merriam-Webster's Secretarial Handbook

THIRD EDITION



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Springfield, Massachusetts



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She accepted the situation with every appearance of equanimity (but with some inward qualms); however, all of that changed the next day.

### SLASH

The slash is known by many names, including *virgule*, *diagonal*, *solidus*, *oblique*, and *slant*. Most commonly, the slash is used to represent a word that is not written out or to separate or set off certain adjacent elements of text.

1. **In place of missing words** A slash represents the words *per* or *to* when used with units of measure or when used to indicate the terms of a ratio.

40,000 tons/year	9 ft./sec.	a 50/50 split
14 gm/100 cc	price/earnings ratio	risk/reward tradeoff

2. A slash separates alternatives. In this context, the slash usually represents the words *or* or *and/or*.

alumni/ae	introductory/refresher courses
his/her	oral/written tests

3. A slash replaces the word *and* in some compound terms.

molybdenum/vanadium steel  
in the May/June issue  
1973/74  
in the Falls Church/McLean, Va., area  
an innovative classroom/laboratory

4. A slash is used, although less commonly, to replace a number of prepositions, such as *at*, *versus*, *with*, and *for*.

U.C./Berkeley	parent/child issues
table/mirror	Vice President/Editorial

5. **With abbreviations** A slash punctuates some abbreviations.

c/o	A/V	d/b/a
A/R	A/IC	S/Sgt
w/	V/STOL	

In some cases the slash may stand for a word that is not represented in the abbreviation (e.g., *in* in *W/O*, the abbreviation for *water in oil*).

6. **To separate elements** The slash may be used in a number of different ways to separate groups of numbers, such as elements in a date, numerators and denominators in fractions, and area codes in telephone numbers. For more on the use of the slash with numbers, see the section on Numbers, beginning on page 180.

7. The slash serves as a divider between lines of poetry that are run in with the text around them. This method of quoting poetry is usually limited to passages of no more than three or four lines. Longer passages are usually set off from the text as extract quotations.

When Samuel Taylor Coleridge wrote in "Christabel" that "'Tis a month before the month of May/And the Spring comes slowly up this way," he could have been describing New England.

8. **Spacing** In general, no space is used between the slash and the words, letters, or figures separated by it; however, some writers do prefer to place spaces around a slash used to separate lines of poetry.

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